



"Public Health - Always Working for a Safer and Healthier Washington"

**Nursing Care Quality Assurance Commission
MINUTES**

January 14, 2005

Department of Health

310 Israel Rd SE

Tumwater, WA 98501

**Commission Members
Present:**

Dr. Judith Personett, EdD, RN, Chair
Jacqueline Rowe, RN Co-Chair
Richard Cooley, LPN
Martha J. Herriott, PhD, ARNP
Rev. Ezra Kinlow, Public Member
Roberta Schott, LPN
Marlene Wells, LPN
Mariann Williams, RN, MPH, ARNP
Susan Wong, MBA, MPA, RN

Assistant Attorney General:

Laura Williams, Assistant Attorney General

Staff present:

Paula R. Meyer, RN, MSN, Executive Director
Kris McLaughlin, Secretary
Usrah Claar-Rice, RN, Nursing Education Manager
Chuck Cumiskey, RN, Nurse Practice Manager
Trent Kelly, Staff Attorney
Terry West, Health Service Consultant

A. Dr. Judith Personett, Chair, opened the meeting on January 14, 2005 at 8:35AM

1. Consent Agenda—DISCUSSION/ACTION

- A. Approval of minutes
 - November 4, 5, 2004 Nursing Care Quality Assurance Commission (NCQAC) business meeting minutes
- B. Nursing Program Approval Panel (NPAP) minutes
 - September 14, 2004
 - September 21, 2004
 - October 12, 2004
 - October 28, 2004
 - November 9, 2004
 - November 29, 2004
 - December 14, 2004
- C. Subcommittee minutes
 - December 7, 2004 Discipline minutes
 - September 28, 2004 Education minutes
 - December 8, 2004 Practice minutes
- D. Current Health Professions Quality Assurance #6 Organization chart
- E. National Council of State Boards of Nursing correspondence
- F. Report on April 29, 2004 Practical Nursing Focus Group

ACTION: A motion was made and passed to approve the consent agenda.

2. Chair Report – Dr. Judith Personett – DISCUSSION

Dr. Personett attended a national stakeholder meeting in Washington DC in December, 2004, to discuss the entry level for advanced practice registered nurses (ARNP) and scope of practice

differences across the nation. Dr. Personnett will give a report on the meeting and any implications for Washington State.

DISCUSSION: Dr. Judith Personnett gave a report on the meeting she attended. The power point presentation which was presented by Dr. Margretta Styles is available on the American Nurses Association website.

Dr. Personnett and Paula Meyer are meeting quarterly with the AAG's to communicate on legal issues.

3. Executive Director Report – Paula Meyer - DISCUSSION/ACTION

- HPQA Reorganization update
- Continuing Education Requirements for Advanced Registered Nurse Practitioners (ARNP'S)

DISCUSSION: Paula Meyer gave an update on the reorganization of Health Professions Quality Assurance. Karl Hoehn has been appointed as Legal Services Manager. Trent Kelly and Barbara Evans-Cordts, were introduced as the Supervising Staff Attorneys. Dave Magby is the Chief Investigator for HPQA and Don Painter and Jim Smith have been appointed as Assistant Chief Investigators.

Ms. Meyer explained that the continuing education audits for Advanced Registered Nurse Practitioners (ARNPs) are completed by the Customer Service Center. Out of 3500 ARNP's licensed in Washington State there were 10% audited with only three ARNPs were found to be out of compliance with the requirements.

The Legislative Task Force consisting of Paula Meyer, Dr. Judith Personnett, Jackie Rowe and Marti Herriott will be meeting on a weekly basis during Legislative session. Ms. Meyer explained that HB1075 Increasing the Number of Commission Members from eleven commission members to fifteen commission members has been introduced.

4. Discussion items - DISCUSSION/ACTION

If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for decision to proceed.

DISCUSSION: None at this time

5. 10:00AM Nursing Education Rules Hearing

DISCUSSION: Dr. Judith Personnett opened the Nursing Education Rules hearing at 10:05AM on Friday, January 14, 2005. The hearing concluded at 10:30AM.

ACTION: A motion was made and passed to adopt the education rules with minor changes.

6. Nursing Care Quality Assurance Commission Newsletter (NCQAC) – Paula Meyer and Terry West – DISCUSSION/ACTION

Several years ago, the NCQAC produced and distributed a newsletter twice a year. Due to cost constraints and program limitations, the paper copies of the newsletter were moved to the NCQAC web-site for distribution. A post card was mailed to all licensees announcing that a new edition of the newsletter was placed on the web-site and if requested, a paper copy of the newsletter would be mailed. The NCQAC is considering producing a newsletter again. Cost models have been developed associated with various methods of production and will be presented. The NCQAC will recommend action to the staff.

DISCUSSION: Paula Meyer explained advantages and disadvantages of each option being considered. Publishing Concepts Incorporated (PCI) is a publisher used by several boards of nursing in other states. PCI is able to produce newsletters at no charge to the boards of nursing. The costs of the publications are covered through advertisers, who are approved by the administrative staff of those boards. The advertisers are primarily nursing employers. The commission recommended that the content included in a newsletter should be educational and include disciplinary actions. Based on the presentation of options and costs, the commission recommended continued work be pursued with PCI.

ACTION: A motion was made and passed to explore providing a newsletter in collaboration with the publishing company at no cost to the nursing commission and that the commission be involved with determining the limitations for advertising.

A friendly motion was made and passed to publish an annual newsletter, for at least three years and then evaluate the publications.

7. Operating Agreement – Paula Meyer and Terry West – DISCUSSION/ACTION

- **Budget review – Terry West**

Fee revision

DISCUSSION: Paula Meyer reviewed the operating agreement signed by Mary Selecky, Secretary of Department of Health, and Cheryl Payseno, Chair of the Washington State Nursing Commission, effective April 1, 2000. Recommendations to meet the specific points of the operating agreement that were approved by the Washington State Nursing Commission on September 23, 2003 were also included in the packets.

Terry West explained the October budget report. The October 2004 report represents the sixteenth month of a twenty four month cycle of a two year biennium. The Secretary sets the licensing fees. In reviewing the revenue produced by the nursing licensure fees and the expenses, a fee adjustment has been recommended. There was discussion of an option of giving rebates as well as reducing fees for one year. While these options were attractive, the licensing laws do not allow for these options.

- **Strategic Plan – Paula Meyer**

The NCQAC signed the Operating Agreement with the Department of Health. According to the agreement, the NCQAC requested an update on the budget and strategic plan at their January and July meetings.

DISCUSSION: Paula Meyer reviewed the 2001-2006 strategic plan. The Nursing Commission has completed most of the goals of this strategic plan. There was discussion as to significant changes in health care since the strategic plan was developed in 2001. The commission agreed that the strategic plan needs to be updated and include their vision for actions to achieve in the next four years.

DECISION: A decision was made to address the strategic plan at the July workshop.

8. Out of State Travel Plan – Paula Meyer – DISCUSSION/ACTION

At the May 2004 meeting, the NCQAC developed a plan for out of state travel through June 30, 2005. The plan requires updating and revisions at this time.

DISCUSSION: Dr. Judith Personett expressed her interest in being nominated for a Director At Large position with National Council of State Boards of Nursing (NCSBN). The commission agreed to support her nomination.

ACTION: A motion was made and passed to support the out of state travel plan to include Dr. Judith Personett to attend the NCSBN midyear meeting in Chicago.

9. Licensing Statistics – Terry West – DISCUSSION/ACTION

The NCQAC will be presented with a report on the licensing of RNs, LPNs and ARNPs.

DISCUSSION: Terry West, the licensing manager, introduced the licensing staff. Ms. West presented the licensing statistics and explained the number of applications for licensure. Ms. West explained the number of ARNP's by specialty. The number of ARNP's has increased 108% from 1993 to 2003. The number of RN's has increased 17% since 1993 and LPN's have decreased 7%.

The Commission asked how many credentialed RN's were licensed by endorsement or by examination as well as which state or county they came from. A request was made to have a breakdown by ARNP specialty for Public Disclosure Statistics.

10. National Council of State Boards of Nursing (NCSBN) International Nurse Issues Subcommittee – Usrah Claar-Rice - - DISCUSSION/ACTION

Ms. Claar-Rice, Nursing Education manager, is a member of the NCSBN International Nurse Issues Subcommittee. Ms. Claar-Rice will present an update to the NCQAC on the purpose and work of this committee.

DISCUSSION: Ms. Claar-Rice reported that the International Nurse Issues Subcommittee developed the Resource Manual for Licensure of Nurses Educated Outside of the United States which addresses immigration, education and English proficiency as the three major components of working with international nurse applicants. This is the third year Ms. Claar-Rice has been involved with this committee. The Subcommittee's charge for the current year is to collect and evaluate methods to facilitate the transition and assimilation of the international nurse to the healthcare system and culture of the United States and Identify any and all public protection issues related to safe, competent nursing practice.

11. Rules Update – Kendra Pitzler - DISCUSSION/ACTION

Ms. Pitzler will report on the rules workshop held on the Licensing and Foreign Graduate rules. Ms. Pitzler will also present the list of rules and priorities for action on the rules

DISCUSSION: Kendra Pitzler reported on the rules priorities. The Nursing Education rules hearing was held today, January 15, 2005. The nursing Definitions/Licensing/Foreign Nurses CR 101 has been filed and the public meeting was held in November. Nursing Assistant rules are in the CR101 stage and waiting for the caregiving training to be reviewed. Kendra reported that the draft rules should be available in the spring. The ARNP rules are the third priority and will begin after the first two sets of rules are close to completion. Nurse Delegation rules are on hold until an appropriate time.

DECISION: A request to have three members of the nursing commission review the draft rules for Definitions/Licensing/Foreign Nurses was approved. Dr. Judith Personett, Richard Cooley and Jacqueline Rowe volunteered to review the rules.

12. Future Commission meeting dates and locations – Paula Meyer - DISCUSSION/ACTION

The NCQAC will receive information and dates on future business meetings. Business meetings are scheduled for the second Friday of the following months: January, March, May, July, September, and November. The March meeting and the July meeting include the Thursday before the business meeting as a workshop day. The May meetings are held in Spokane, and the September is held at a location other than Olympia. Due to the limitations on free and available space in the Olympia office, staff is requesting the NCQAC to reserve dates for business meetings and locations for 2005, 2006 and 2007.

DISCUSSION: The commission discussed the following future dates and locations. March 10, 2005 will be a full day workshop with March 11 as the business day. July 14, 2005 will be a full day workshop and July 15 will be the business day. There was discussion as to holding the September 22 business meeting in Vancouver and invite the Oregon Board of Nursing.

March 10, 11, 2005	Department of Health
May 13, 2005	Hilton Garden Inn, Spokane
July 14, 15, 2005	Department of Health
September 22, 2005	Vancouver TBA
November 3, 4, 2005	Guesthouse Suites, Tumwater
January 13, 2006	Department of Health
March 9, 10, 2006	Department of Health
May 12, 2006	Hilton Garden Inn, Spokane
July 13, 14, 2006	Department of Health
September 8, 2006	Port Angeles, TBA
November 9, 10, 2006	Department of Health

January 7, 2007
March 8, 9, 2007
May 11, 2007
July 12,13, 2007
September 14, 2007
November 8, 9, 2007

Department of Health
Department of Health
Spokane, TBA
Department of Health
Colville
Department of Health

ACTION: A motion was made and passed to hold the September 2005 meeting on the 22nd with the Oregon State Board of Nursing. A motion was made and passed to accept the proposed meeting dates and locations for 2005, 2006 and 2007 NCQAC workshops and business meetings.

13. Caregiver and Nursing Assistant Training – Chuck Cumiskey, Kendra Pitzler – DISCUSSION/ACTION

The NCQAC was legislatively directed to review the caregiver curriculum developed by Department of Social and Health Services (DSHS) and recognize competencies that in common with Nursing Assistant training requirements. The task force completed a comparison of the revised caregiver curriculum, the fundamentals of caregiving, the modified fundamentals of caregiving and nurse delegation training and nursing assistant training. A progress report and recommendations will be presented.

DISCUSSION: Chuck Cumiskey discussed the Caregiver and Nursing Assistant training comparison position paper. The task force has worked closely with Department of Social and Health Services personnel on this position paper. It was discussed how it would benefit caregivers, nursing assistants, and patients by having elements of the caregiver training recognized by nursing assistant training programs. This initiative was introduced by Rep. Eileen Cody. The position paper reflects the curriculum modules are similar yet three issues need to be addressed: the combination of Nursing Commission rules and Federal laws state that the Director of the Nursing Assistant Training Program must be an RN, the instructor must have a course on teaching adults and the students must be under direct supervision and directly observed.

14. Continuing Competency Task Force Report – Terry West, Marianne Williams – DISCUSSION/ACTION

According to the purpose statement of the NCQAC, the NCQAC will determine continuing competency of Licensed Practical Nurses (LPNs), Registered Nurses (RNs), and Advanced Registered Nurse Practitioners (ARNPs). A report from the task force will be presented.

DISCUSSION: Marianne Williams explained that the continuing competency task force has met several times. Task force members are Cheryl Payseno, Victoria Fletcher, Terry West and Paula Meyer. The task force will meet again to draft a proposal of how continued competency will be measured, credit for continued education and a portfolio model will be reviewed as well as negligent practice. A proposal will come to the commission at the March or May business meeting. After review from the Nursing Commission the draft will be mailed to all task force members for comments then brought back to the commission for a decision.

11:00 AM to 11:30 AM Executive Session

An executive session was held to discuss with our AAG who is legal counsel to the commission, matters relating to enforcement action s or litigation or potential litigation.

LUNCH

1:00PM–OPEN MIKE - *Open mike is for public presentation of issues to the Nursing commission.*

Those present to speak at open mike were:

Joan Garner representing WSNA who reported on Legislative tracking

Lois Hoell representing CNEWS had questions about agreed orders and compliance

John Saiger requested the commission to reconsider their decision on Vagal Nerve Stimulators rescind it so lay persons with training can use this magnet. The commission will review the letters and information provided by John Saiger and discuss it at the March workshop.

15. LPN's and Military Training – Paula Meyer, Dr. Judy Personett, Marianne Williams and Ellen Rosbach – DISCUSSION/ACTION

Ms. Rosbach, a previous commission member and pro tem member of the NCQAC, has completed a comparison of the Navy Corpsmen training and LPN training standards in WA. Ms. Rosbach has been working with CDR Darlene V. Zeckser, NC, United States Navy. The NCQAC will receive a synopsis of the comparison and recommendations for next steps.

DISCUSSION: Commander Darlene Zesker of the Navy, Mary Curtis, Olympic Community College faculty and Ellen Rosbach were introduced to the commission. The commission thanked this group for all the work they did on compiling this study. Ms. Rosbach completed a comparison of the Education standards for LPNs in Washington and the curriculum for Navy Corpsmen. Ms. Rosbach explained the areas of strengths and weaknesses of the *Comparison of the Naval Hospital Corps School Curriculum to the Washington State Nursing Care Quality Assurance Commission Requirements for Practical Nursing Programs as written in the WAC 246-840-548 through 246-840-575, 246-840-700 and 246-840-705*. Ms. Rosbach explained that in researching the training programs that they have similar functions but are two different programs, with different educational goals.

A copy of the report prepared by Ms. Rosbach is available by contacting the NCQAC office at (360) 236-4713.

ACTION: A motion was made and passed to accept the comparison.

16. Practice Subcommittee— Dr. Judith Personett - DISCUSSION/ACTION

A. Revised Practice Guidelines

B. The Practice Subcommittee request for work groups

- To revise the LPN IV Therapy and Procedural Sedation position statements. The work group will include members from the committee and other members from Health Systems Quality Assurance.
- To revise the Scope of Practice Decision tree to uphold that licensed nurses can not accept delegation that is outside their scope of practice. Below is the proposed statement to be added to the Scope of Practice Decision Tree:
Use of this decision tree to train individuals to perform activities which are either not allowed or prohibited by that individual's practice act is considered unprofessional conduct. The decision tree may not be used to allow unlicensed person to practice when a license is required.

DECISION: A decision was made to form two workgroups to revise the LPN IV Therapy and Procedural Sedation position statements and the Scope of Practice Decision tree. The members would consist of a broad group of stakeholders from a broad geographic area representing the state. The group anticipates a report being completed by the July 2005 business meeting.

ACTION: A motion was made and passed to form two workgroups.

C. Concerns about the validity of American Nurse Credentialing Center (ANCC) Adult Psychiatric and Mental Health Nurse Practitioner exam.

- Discuss concerns about failure rates of Adult Psychiatric and Mental Health Nurse Practitioner exam (see attached letter)

DECISION: A letter will be drafted in response to the letter to the Washington State University Intercollegiate College of Nursing Psychiatric mental health nursing program.

ACTION: A motion was made and passed to track the failure rates of the Adult Psychiatric and Mental Health Nurse Practitioner exam.

- Discuss Joan Garner's letter about her discussion from American Nurse Credentialing Center (see attached letter)

DISCUSSION: The commission discussed that the ANCC exam is psychometrically sound and legally defensible. Ms. Meyer explained that staff would be happy to work on this concern.

- D. Future dates for Practice Subcommittee meetings at Point Plaza East
- January 12, 2005, February 9, 2005, March 9, 2005

17. Education Subcommittee – Mariann Williams - DISCUSSION /ACTION

- A. Procedure for Approval of Students Enrolled in an RN Program Requesting to Take NCLEX-PN

ACTION: A motion was made and passed to accept the procedure for approval of students in an RN program requesting to take the NCLEX-PN exam.

- B. Proposed Change to Policy Titled-Nursing Program Approval Process #B7-02

DISCUSSION: The commission discussed the importance to recuse yourself from Nursing Program Approval Panel (NPAP) if you are associated with any of the schools.

ACTION: A motion was made and passed to accept the proposed change to policy B7.02 Nursing Program Approval Process.

- C. NPAP grid

18. Discipline Subcommittee –Jackie Rowe – DISCUSSION/ACTION

- A. Stipulation to Informal Disposition (STID) closure letter to comply with Washington Health Professionals Services (WHPS)

DISCUSSION: There was discussion as to when a STID has been issued and the respondent has signed a contract with WHPS that they have completed their STID requirements and their compliance file with the Commission will be closed.

DECISION: Jackie Rowe will meet with committee for clarification of the compliance letter and bring back a draft in March.

19. Closing – The meeting was adjourned at 3:23PM January 14, 2005 by Dr. Judith Personett.